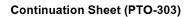
Advisory Action Before the Filing of an Appeal Brief

| Application No. | Applicant(s) | |
|-----------------|--------------|--|
| 10/574,601 | ARNET ET AL. | |
| | | |
| Examiner | Art Unit | |

| | JAMES SAMBERS | 1/91 | | |
|--|--|---|--|--|
| The MAILING DATE of this communication appe | ears on the cover sheet with the c | correspondence add | ress | |
| THE REPLY FILED <u>04 November 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. | | | | |
| The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C periods: | replies: (1) an amendment, affidavi eal (with appeal fee) in compliance CFR 1.114. The reply must be filed | t, or other evidence, v with 37 CFR 41.31; o | which places the r (3) a Request | |
| a) The period for reply expiresmonths from the mailing | · · · · · · · · · · · · · · · · · · · | | | |
| b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(| ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE | g date of the final rejection | on. | |
| Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL | tension and the corresponding amount of the statutory period for reply origing than three months after the mailing date. | of the fee. The appropri- nally set in the final Offic | ate extension fee e action; or (2) as | |
| The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed w AMENDMENTS | nsion thereof (37 CFR 41.37(e)), to | avoid dismissal of the | | |
| 3. The proposed amendment(s) filed after a final rejection, to (a) They raise new issues that would require further con (b) They raise the issue of new matter (see NOTE belo | nsideration and/or search (see NO | | cause | |
| (c) ☐ They are not deemed to place the application in bet appeal; and/or (d) ☐ They present additional claims without canceling a content of the present additional claims. | | | he issues for | |
| NOTE: (See 37 CFR 1.116 and 41.33(a)). | | | | |
| 4. The amendments are not in compliance with 37 CFR 1.12 5. Applicant's reply has overcome the following rejection(s): | : | | | |
| 6. Newly proposed or amended claim(s) would be all non-allowable claim(s). | · | • | _ | |
| 7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed: | | I be entered and an e | xplanation of | |
| Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration: | | | | |
| AFFIDAVIT OR OTHER EVIDENCE | | | | |
| 8. The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). | | | | |
| 9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary | vercome <u>all</u> rejections under appea | al and/or appellant fail | s to provide a | |
| 10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER | n of the status of the claims after er | ntry is below or attach | ed. | |
| 11. The request for reconsideration has been considered bu | t does NOT place the application in | condition for allowan | ce because: | |
| 12. Note the attached Information <i>Disclosure Statement</i> (s). (13. Other: | (PTO/SB/08) Paper No(s) | | | |
| /Joseph S. Del Sole/ Supervisory Patent Examiner, Art Unit 1791 | | | | |
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Application No.